

### ***Amendments to the Claims***

The listing of claims will replace all prior versions, and listings of claims in the application.

#### **Claims 1-34 (Canceled)**

35. (currently amended) An isolated polypeptide comprising an amino acid sequence at least 90% identical to amino acids 1 to 360 of SEQ ID NO:2, wherein said polypeptide induces apoptosis or binds an antibody with specificity for the polypeptide of amino acids 1 to 360 of SEQ ID NO:2 ~~binds TNF-related apoptosis-inducing ligand (TRAIL).~~

36. (currently amended) The polypeptide of claim 35, which binds TNF-related apoptosis-inducing ligand (TRAIL) ~~induces apoptosis.~~

37. (previously presented) The polypeptide of claim 35, comprising an amino acid sequence at least 95% identical to amino acids 1 to 360 of SEQ ID NO:2.

38. (previously presented) The polypeptide of claim 35, which is produced by a recombinant host cell.

39. (previously presented) The polypeptide of claim 38, wherein said recombinant host cell is a eukaryotic host cell.

40. (previously presented) The polypeptide of claim 35, which comprises a heterologous polypeptide.

41. (currently amended) The polypeptide of claim 40, wherein said heterologous polypeptide comprises an immunoglobulin ~~immunoglobulin~~ Fc region.

42. (currently amended) The polypeptide of claim 41, wherein said immunoglobulin ~~immunoglobulin~~ Fc region is a human immunoglobulin ~~immunoglobulin~~ Fc region.

43. (previously presented) A composition comprising the polypeptide of claim 35, and a carrier.

44. (currently amended) An isolated polypeptide comprising an amino acid sequence at least 90% identical to amino acids -50 to 360 of SEQ ID NO:2, wherein said polypeptide induces apoptosis or binds an antibody with specificity for the polypeptide of amino acids 1 to 360 of SEQ ID NO:2 ~~binds TNF-related apoptosis-inducing ligand (TRAIL)~~.

45. (currently amended) The polypeptide of claim 44, which binds TRAIL ~~induces apoptosis~~.

46. (previously presented) The isolated polypeptide of claim 44, comprising an amino acid sequence at least 95% identical to amino acids -50 to 360 of SEQ ID NO:2.

47. (previously presented) The polypeptide of claim 44, which is produced by a recombinant host cell.

48. (previously presented) The polypeptide of claim 47, wherein said recombinant host cell is a eukaryotic host cell.

49. (previously presented) The polypeptide of claim 44, which comprises a heterologous polypeptide.

50. (currently amended) The polypeptide of claim 49, wherein said heterologous polypeptide comprises an immunoglobulin ~~immunoglobulin~~ Fc region.

51. (currently amended) The polypeptide of claim 50, wherein said immunoglobulin ~~immunoglobulin~~ Fc region is a human immunoglobulin ~~immunoglobulin~~ Fc region.

52. (previously presented) A composition comprising the polypeptide of claim 44, and a carrier.

53. (currently amended) An isolated polypeptide comprising an amino acid sequence at least 90% identical to amino acids -51 to 360 of SEQ ID NO:2, wherein said polypeptide induces apoptosis or binds an antibody with specificity for the polypeptide of amino acids 1 to 360 of SEQ ID NO:2 ~~binds TNF-related apoptosis-inducing ligand (TRAIL)~~.

54. (currently amended) The polypeptide of claim 53, which binds TRAIL ~~induces apoptosis~~.

55. (previously presented) The polypeptide of claim 53, comprising an amino acid sequence at least 95% identical to amino acids -51 to 360 of SEQ ID NO:2.

56. (previously presented) The polypeptide of claim 53, which is produced by a recombinant host cell.

57. (previously presented) The polypeptide of claim 56, wherein said recombinant host cell is a eukaryotic host cell.

58. (previously presented) The polypeptide of claim 53, which comprises a heterologous polypeptide.

59. (currently amended) The polypeptide of claim 58, wherein said heterologous polypeptide comprises an immunoglobulin ~~immunoglobulin~~ Fc region.

60. (currently amended) The polypeptide of claim 59, wherein said immunoglobulin ~~immunoglobulin~~ Fc region is a human immunoglobulin ~~immunoglobulin~~ Fc region.

61. (previously presented) A composition comprising the polypeptide of claim 53, and a carrier.

62. (Allowed) An isolated polypeptide comprising amino acids 1 to 360 of SEQ ID NO:2.

63. (Allowed) The polypeptide of claim 62, comprising amino acids -50 to 360 of SEQ ID NO:2.

64. (Allowed) The polypeptide of claim 63, comprising amino acids -51 to 360 of SEQ ID NO:2.

65. (Allowed) The polypeptide of claim 62, which binds TRAIL.
66. (Allowed) The polypeptide of claim 62, which induces apoptosis.
67. (Allowed) The polypeptide of claim 62, which is produced by a recombinant host cell.
68. (Allowed) The polypeptide of claim 67, wherein said recombinant host cell is a eukaryotic host cell.
69. (Allowed) The polypeptide of claim 62, which comprises a heterologous polypeptide.
70. (currently amended) The polypeptide of claim 69, wherein said heterologous polypeptide comprises an immunoglobulin ~~immunoglobulin~~ Fc region.
71. (currently amended) The polypeptide of claim 70, wherein said immunoglobulin ~~immunoglobulin~~ Fc region is a human immunoglobulin ~~immunoglobulin~~ Fc region.
72. (Allowed) A composition comprising the polypeptide of claim 62, and a carrier.
73. (previously presented) An isolated polypeptide comprising an amino acid sequence at least 90% identical to amino acids 134 to 157 of SEQ ID NO:2, wherein a DR5 variant consisting of amino acids 1 to 360 of SEQ ID NO:2, with the exception that amino acids 134 to 157 of SEQ ID NO:2 are deleted and replaced with said amino acid sequence, is anchored into the cell membrane and induces apoptosis.

74. (currently amended) The polypeptide of claim 73, comprising an amino acid sequence at least 95% identical to amino acids 134 to 157 of SEQ ID NO:2.

75. (currently amended) ~~The~~ An isolated polypeptide ~~of claim 74, which comprises~~ comprising amino acids 134 to 157 of SEQ ID NO:2.

76. (previously presented) The polypeptide of claim 73, which is produced by a recombinant host cell.

77. (previously presented) The polypeptide of claim 76, wherein said recombinant host cell is a eukaryotic host cell.

78. (previously presented) The polypeptide of claim 73, which comprises a heterologous polypeptide.

79. (currently amended) The polypeptide of claim 78, wherein said heterologous polypeptide comprises an immunoglobulin ~~immunoglobulin~~ Fc region.

80. (currently amended) The polypeptide of claim 79, wherein said immunoglobulin ~~immunoglobulin~~ Fc region is a human immunoglobulin ~~immunoglobulin~~ Fc region.

81. (previously presented) An isolated polypeptide comprising an amino acid sequence at least 90% identical to amino acids 158 to 360 of SEQ ID NO:2, wherein a DR5 variant consisting of amino acids 1 to 360 of SEQ ID NO:2, with the exception that amino acids 158 to 360 of SEQ ID NO:2 are deleted and replaced with said amino acid sequence induces apoptosis.

82. (previously presented) The polypeptide of claim 81, comprising an amino acid sequence at least 95% identical to amino acids 158 to 360 of SEQ ID NO:2.

83. (currently amended) ~~The~~ An isolated polypeptide ~~of claim 82, which comprises~~ comprising amino acids 158 to 360 of SEQ ID NO:2.

84. (previously presented) The polypeptide of claim 81, which is produced by a recombinant host cell.

85. (previously presented) The polypeptide of claim 84, wherein said recombinant host cell is a eukaryotic host cell.

86. (previously presented) The polypeptide of claim 81, which comprises a heterologous polypeptide.

87. (currently amended) The polypeptide of claim 86, wherein said heterologous polypeptide comprises an immunoglobulin ~~immunoglobulin~~ Fc region.

88. (currently amended) The polypeptide of claim 87, wherein said immunoglobulin ~~immunoglobulin~~ Fc region is a human immunoglobulin ~~immunoglobulin~~ Fc region.

89. (previously presented) A composition comprising the polypeptide of claim 81, and a carrier.

90. (previously presented) An isolated polypeptide comprising an amino acid sequence at least 90% identical to amino acids 273 to 340 of SEQ ID NO:2, wherein a DR5 variant consisting of amino acids 1 to 360 of SEQ ID NO:2, with the exception that

amino acids 273 to 340 of SEQ ID NO:2 are deleted and replaced with said amino acid sequence induces apoptosis.

91. (previously presented) The polypeptide of claim 90, comprising an amino acid sequence at least 95% identical to amino acids 273 to 340 of SEQ ID NO:2.

92. (currently amended) ~~The~~ An isolated polypeptide ~~of claim 91, which comprises~~ comprising amino acids 273 to 340 of SEQ ID NO:2.

93. (previously presented) The polypeptide of claim 90, which is produced by a recombinant host cell.

94. (previously presented) The polypeptide of claim 93, wherein said recombinant host cell is a eukaryotic host cell.

95. (previously presented) The polypeptide of claim 90, which comprises a heterologous polypeptide.

96. (currently amended) The polypeptide of claim 95, wherein said heterologous polypeptide comprises an immunoglobulin ~~immunoglobulin~~ Fc region.

97. (currently amended) The polypeptide of claim 96, wherein said immunoglobulin ~~immunoglobulin~~ Fc region is a human immunoglobulin ~~immunoglobulin~~ Fc region.

98. (previously presented) A composition comprising the polypeptide of claim 90, and a carrier.



99. (currently amended) An isolated polypeptide comprising an amino acid sequence at least 90% identical to the mature amino acid sequence encoded by the cDNA clone in ATCC Deposit No. 97920, wherein said polypeptide induces apoptosis or binds an antibody with specificity for the polypeptide of amino acids 1 to 360 of SEQ ID NO:2 ~~binds TRAIL~~.

100. (currently amended) The polypeptide of claim 99, which binds TRAIL ~~induces apoptosis~~.

101. (previously presented) The polypeptide of claim 99, comprising an amino acid sequence at least 95% identical to the mature amino acid sequence encoded by the cDNA clone in ATCC Deposit No. 97920.

102. (previously presented) The polypeptide of claim 99, which is produced by a recombinant host cell.

103. (previously presented) The polypeptide of claim 102, wherein said recombinant host cell is a eukaryotic host cell.

104. (previously presented) The polypeptide of claim 99, which comprises a heterologous polypeptide.

105. (currently amended) The polypeptide of claim 104, wherein said heterologous polypeptide comprises an immunoglobulin ~~immunoglobulin~~ Fc region.

106. (currently amended) The polypeptide of claim 105, wherein said immunoglobulin ~~immunoglobulin~~ Fc region is a human immunoglobulin ~~immunoglobulin~~ Fc region.

107. (previously presented) A composition comprising the polypeptide of claim 99, and a carrier.

108. (currently amended) An isolated polypeptide comprising an amino acid sequence at least 90% identical to the full length amino acid sequence encoded by the cDNA clone in ATCC Deposit No. 97920, wherein said polypeptide induces apoptosis or binds an antibody with specificity for the polypeptide of amino acids 1 to 360 of SEQ ID NO:2 ~~binds TRAIL~~.

109. (currently amended) The polypeptide of claim 108, which binds TRAIL ~~induces apoptosis~~.

110. (previously presented) The polypeptide of claim 108, comprising an amino acid sequence at least 95% identical to the full length amino acid sequence encoded by the cDNA clone in ATCC Deposit No. 97920.

111. (previously presented) The polypeptide of claim 108, which is produced by a recombinant host cell.

112. (previously presented) The polypeptide of claim 111, wherein said recombinant host cell is a eukaryotic host cell.

113. (previously presented) The polypeptide of claim 108, which comprises a heterologous polypeptide.

114. (currently amended) The polypeptide of claim 113, wherein said heterologous polypeptide comprises an immunoglobulin ~~immunoglobulin~~ Fc region.

115. (currently amended) The polypeptide of claim 114, wherein said immunoglobulin ~~immunoglobulin~~ Fc region is a human immunoglobulin ~~immunoglobulin~~ Fc region.

116. (previously presented) A composition comprising the polypeptide of claim 108, and a carrier.

117. (Allowed) An isolated polypeptide comprising the mature amino acid sequence encoded by the cDNA clone in ATCC Deposit No. 97920.

118. (Allowed) The isolated polypeptide of claim 117, comprising the full length amino acid sequence encoded by the cDNA clone in ATCC Deposit No. 97920.

119. (Allowed) The polypeptide of claim 117, which binds TRAIL.

120. (Allowed) The polypeptide of claim 117, which induces apoptosis.

121. (Allowed) The polypeptide of claim 117, which is produced by a recombinant host cell.

122. (Allowed) The polypeptide of claim 121, wherein said recombinant host cell is a eukaryotic host cell.

123. (Allowed) The polypeptide of claim 117, which comprises a heterologous polypeptide.

124. (currently amended) The polypeptide of claim 123, wherein said heterologous polypeptide comprises an immunoglobulin ~~immunoglobulin~~ Fc region.

125. (currently amended) The polypeptide of claim 124, wherein said immunoglobulin ~~immunoglobulin~~ Fc region is a human immunoglobulin ~~immunoglobulin~~ Fc region.

126. (Allowed) A composition comprising the polypeptide of claim 117, and a carrier.

127. (currently amended) An isolated polypeptide comprising at least 50 contiguous amino acids of amino acids 1 to 133 ~~1 to 360~~ of SEQ ID NO:2, wherein said at least 50 contiguous amino acids binds an antibody with specificity for the polypeptide consisting of amino acids 1 to 360 of SEQ ID NO:2.

128. (previously presented) The polypeptide of claim 127, which is produced by a recombinant host cell.

129. (previously presented) The polypeptide of claim 128, wherein said recombinant host cell is a eukaryotic host cell.

130. (previously presented) The polypeptide of claim 127, which comprises a heterologous polypeptide.

131. (currently amended) The polypeptide of claim 130, wherein said heterologous polypeptide comprises an immunoglobulin ~~immunoglobulin~~ Fc region.

132. (currently amended) The polypeptide of claim 131, wherein said immunoglobulin ~~immunoglobulin~~ Fc region is a human immunoglobulin ~~immunoglobulin~~ Fc region.

133. (previously presented) A composition comprising the polypeptide of claim 127, and a carrier.

Claims 134 to 151 (canceled)

152. (currently amended) An isolated polypeptide comprising an amino acid sequence at least 90% identical to amino acids 1 to 133 of SEQ ID NO:2, wherein said polypeptide binds an antibody with specificity for the polypeptide of amino acids 1 to 360 of SEQ ID NO:2 ~~binds TRAIL~~.

153. (previously presented) The polypeptide of claim 152, comprising an amino acid sequence at least 95% identical to amino acids 1 to 133 of SEQ ID NO:2.

154. (previously presented) The polypeptide of claim 152, which is produced by a recombinant host cell.

155. (previously presented) The polypeptide of claim 154, wherein said recombinant host cell is a eukaryotic host cell.

156. (previously presented) The polypeptide of claim 152, which comprises a heterologous polypeptide.

157. (currently amended) The polypeptide of claim 156, wherein said heterologous polypeptide comprises an immunoglobulin ~~immunoglobulin~~ Fc region.

158. (currently amended) The polypeptide of claim 157, wherein said immunoglobulin ~~immunoglobulin~~ Fc region is a human immunoglobulin ~~immunoglobulin~~ Fc region.

159. (previously presented) A composition comprising the polypeptide of claim 152, and a carrier.

160. (previously presented) An isolated polypeptide comprising amino acids 1 to 133 of SEQ ID NO:2.

161. (previously presented) The polypeptide of claim 160, which binds TRAIL.

162. (previously presented) The polypeptide of claim 160, which is produced by a recombinant host cell.

163. (previously presented) The polypeptide of claim 162, wherein said recombinant host cell is a eukaryotic host cell.

164. (previously presented) The polypeptide of claim 160, which comprises a heterologous polypeptide.

165. (currently amended) The polypeptide of claim 164, wherein said heterologous polypeptide comprises an immunoglobulin ~~immunoglobulin~~ Fc region.

166. (currently amended) The polypeptide of claim 165, wherein said immunoglobulin ~~immunoglobulin~~ Fc region is a human immunoglobulin ~~immunoglobulin~~ Fc region.

167. (previously presented) A composition comprising the polypeptide of claim 160, and a carrier.

168. (currently amended) An isolated polypeptide comprising an amino acid sequence selected from the group consisting of:

- (a) ~~amino acids 11 to 59 of SEQ ID NO:2;~~
- (b) —amino acids 68 to 103 of SEQ ID NO:2;
- (e) ~~(b)~~ amino acids 173 to 220 of SEQ ID NO:2; and
- (d) ~~(c)~~ amino acids 224 to 319 of SEQ ID NO:2;

wherein said polypeptide binds an antibody with specificity for the polypeptide of amino acids 1 to 360 of SEQ ID NO:2.

169. (currently amended) The An isolated polypeptide ~~of claim 168~~ comprising amino acids 11 to 59 of SEQ ID NO:2, wherein said polypeptide binds an antibody with specificity for the polypeptide of amino acids 1 to 360 of SEQ ID NO:2.

170. (previously presented) The polypeptide of claim 168 comprising amino acids 68 to 103 of SEQ ID NO:2.

171. (previously presented) The polypeptide of claim 168 comprising amino acids 173 to 220 of SEQ ID NO:2.

172. (previously presented) The polypeptide of claim 168 comprising amino acids 224 to 319 of SEQ ID NO:2.

173. (previously presented) The polypeptide of claim 168, which is produced by a recombinant host cell.

174. (previously presented) The polypeptide of claim 173, wherein said recombinant host cell is a eukaryotic host cell.

175. (previously presented) The polypeptide of claim 168, which comprises a heterologous polypeptide.

176. (currently amended) The polypeptide of claim 175, wherein said heterologous polypeptide comprises an immunoglobulin ~~immunoglobulin~~ Fc region.

177. (currently amended) The polypeptide of claim 176, wherein said immunoglobulin ~~immunoglobulin~~ Fc region is a human immunoglobulin ~~immunoglobulin~~ Fc region.

178. (previously presented) A composition comprising the polypeptide of claim 168, and a carrier.

179. (previously presented) A composition comprising the polypeptide of claim 73, and a carrier.

180. (new) The polypeptide of claim 75, which is produced by a recombinant host cell.



181. (new) The polypeptide of claim 180, wherein said recombinant host cell is a eukaryotic host cell.

182. (new) The polypeptide of claim 75, which comprises a heterologous polypeptide.

183. (new) The polypeptide of claim 182, wherein said heterologous polypeptide comprises an immunoglobulin Fc region.

184. (new) The polypeptide of claim 183, wherein said immunoglobulin Fc region is a human immunoglobulin Fc region.

185. (new) A composition comprising the polypeptide of claim 75, and a carrier.

186. (new) The polypeptide of claim 83, which is produced by a recombinant host cell.

187. (new) The polypeptide of claim 186, wherein said recombinant host cell is a eukaryotic host cell.

188. (new) The polypeptide of claim 83, which comprises a heterologous polypeptide.

189. (new) The polypeptide of claim 188, wherein said heterologous polypeptide comprises an immunoglobulin Fc region.

190. (new) The polypeptide of claim 189, wherein said immunoglobulin Fc region is a human immunoglobulin Fc region.

191. (new) A composition comprising the polypeptide of claim 83, and a carrier.

192. (new) The polypeptide of claim 92, which is produced by a recombinant host cell.

193. (new) The polypeptide of claim 192, wherein said recombinant host cell is a eukaryotic host cell.

194. (new) The polypeptide of claim 92, which comprises a heterologous polypeptide.

195. (new) The polypeptide of claim 194, wherein said heterologous polypeptide comprises an immunoglobulin Fc region.

196. (new) The polypeptide of claim 195, wherein said immunoglobulin Fc region is a human immunoglobulin Fc region.

197. (new) A composition comprising the polypeptide of claim 92, and a carrier.

198. (new) The polypeptide of claim 169, which is produced by a recombinant host cell.

199. (new) The polypeptide of claim 198, wherein said recombinant host cell is a eukaryotic host cell.

200. (new) The polypeptide of claim 169, which comprises a heterologous polypeptide.

201. (new) The polypeptide of claim 200, wherein said heterologous polypeptide comprises an immunoglobulin Fc region.

202. (new) The polypeptide of claim 201, wherein said immunoglobulin Fc region is a human immunoglobulin Fc region.

203. (new) A composition comprising the polypeptide of claim 169, and a carrier.